

10/21/2004 17:24 FAX 612 607 7100

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**FAX COVER LETTER**

October 21, 2004

**TO:** Commissioner for Patents  
**COMPANY:** U.S. Patent and Trademark Office  
**PHONE:**  
**FAX:** (703) 872-9306

**FROM:** Brea K. Taken  
**DIRECT DIAL:** (612) 607-7260  
**EMAIL:** BTaken@oppenheimer.com  
**RE:** U.S. Patent Application No. 09/942,057  
 Title: DISPLAY RACK AND HOOK COMBINATION  
 Filed: August 28, 2001  
 Art Unit: 3634  
 Attorney Docket No.: 22616-11 (formerly 450001-63)

**COMMENTS:** I hereby certify that a Petition to Withdraw Holding of Abandonment is being facsimile transmitted to the U.S. Patent and Trademark Office on October 21, 2004.

*Brea K. Taken*  
 Brea K. Taken

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Originals: Not being sent

Completed by: Brea Taken/7260

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PTO/SB/21 (03-03)


Approved for use through 04/30/2003. OMB 0651-0031


U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	09/942,057
	<b>Filing date</b>	August 28, 2001
	<b>First Named Inventor</b>	Paul J. O'Brien
	<b>Art Unit</b>	3634
	<b>Examiner Name</b>	
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b> 22616-11 (formerly 450001-63)

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Copy of the PTO Form 1533 (Rev. 9/97), Notice to File Missing Parts of Application <i>Filing Date Granted</i> <input type="checkbox"/> Executed Declaration and Power of Attorney Document	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition to Withdraw Holding of Abandonment <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____  Remarks:	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal C (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) please identify below:

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
<b>Name (Print/Type)</b>	Barbara A. Wrigley, Reg. No. 34,950
<b>Signature</b>	
<b>Date</b>	10/21/04

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313 on this date: <u>10/21/04</u>	
<b>Typed or printed</b>	Brea K. Taken
<b>Signature</b>	 Date: 10/21/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

OPPENHEIMER: 2273799 v01 10/21/2004

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UTILITY PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Paul J. O'Brien

Serial No. : 09/942,057

Filing Date : August 28, 2001

Title : DISPLAY RACK AND HOOK  
COMBINATION

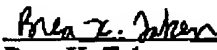
Group Art Unit: 3634

Examiner:

Docket No : 22616-11 (formerly 450001-63)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## CERTIFICATE OF TRANSMISSION

I hereby certify under 37 CFR 1.8 that this  
correspondence is being facsimile transmitted to the  
Commissioner for Patents by facsimile number 703-872-  
9306 on June 23, 2004.  
Brea K. TakenASSOCIATE POWER OF ATTORNEY

Dear Sir:

In the above-identified patent application, please make the following changes:

Appoint all the attorneys and/or agents associated with Customer Number 34205, to  
prosecute and transact all business in the Patent and Trademark Office connected therewith, and  
in all foreign patent offices in which corresponding applications for patent are filed.

Please send all future correspondence to the following address:

## OPPENHEIMER WOLFF &amp; DONNELLY LLP

Attention: Barbara A. Wrigley  
45 South Seventh Street  
Suite 3300  
Minneapolis, MN 55402

Direct all telephone calls to Barbara A. Wrigley at (612) 607-7595.

Respectfully submitted,

Dated: 6/23/04By David J. McKinley, Reg. No. 42,867  
Oppenheimer Wolff & Donnelly LLP  
45 South Seventh Street, Suite 3300  
Minneapolis, MN 55402  
Telephone: (612) 607-7000

OPPENHEIMER - 7241846 - 001 06/23/2004

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UTILITY PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Paul J. O'Brien

Serial No. : 09/942,057

Filing Date : August 28, 2001

Title : DISPLAY RACK AND HOOK  
COMBINATION

Docket No : 22616-11 (formerly 450001-63)

Group Art Unit: 3634

Examiner: Not Assigned

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being  
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for Patents, P.O. Box 1450, Alexandria, VA 22313-1450  
at facsimile number (703) 872-9306 on October 21,  
2004.

*Brea K. Taken*  
Brea K. Taken

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**

Dear Sir:

A Notice of Abandonment was mailed December 1, 2003 in connection with the above-identified application. The Notice of Abandonment issued on the ground that "no reply was received" to the Notice to File Missing Parts mailed October 2, 2001. However, a reply was timely filed.

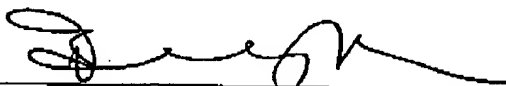
Enclosed are copies of the following documents: Notice of Abandonment, mailed December 1, 2003; return postcard, dated October 17, 2001, stamped by the OIPE on January 9, 2002 and acknowledging the Patent and Trademark Office's receipt of the Response to Notice to File Corrected Application Papers, Notice to File Corrected Application Papers, and Drawings; Response to Notice to File Corrected Application Papers, dated October 17, 2001, including revised drawings; Notice to File Corrected Application Papers, mailed October 2, 2001 and filing receipt, mailed October 2, 2001.

Accordingly, it is respectfully requested that the Notice of Abandonment be withdrawn and the application reinstated. It is believed that no fees are due in connection with this Petition. If, however, fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 50-1901 (Reference No. 22616-11).

Respectfully submitted,

Dated: October 21, 2004

By



Barbara A. Wrigley, Reg. No. 34,950  
Oppenheimer Wolff & Donnelly LLP  
Customer No. 34205  
45 South Seventh Street, Suite 3300  
Minneapolis, MN 55402  
Telephone: (612) 607-7595  
Email: BWrigley@oppenheimer.com



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/942,057	08/28/2001	Paul J. O'Brien	450001-63

CONFIRMATION NO. 6514

ABANDONMENT/TERMINATION  
LETTER

\*OC000000011378995\*

Louis J. Bovasso  
OPPENHEIMER WOLFF & DONNELLY LLP  
38th Floor  
2029 Century Park East  
Los Angeles, CA 90067-3024

Date Mailed: 12/01/2003

## NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 10/02/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

## PATENT

Receipt is hereby acknowledged for the following at the U.S. Patent and Trademark Office in Washington, D.C.

Applicant: Paul J. O'Brien  
Title: DISPLAY RACK AND HOOK COMBINATION  
Serial No. 09/942,057  
Filed: August 28, 2001

OWD #: 450001/63

Date of Deposit: October 17, 2001

- ☒ Response to Notice to File Corrected Application Papers
- ☒ Notice to File Corrected Application Papers
- ☒ Drawings
- ☒ Return postcard

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LJB:dp

LA: 302937 v01 10/17/2001

**OWD**

**DOCKETED**  
JAN 25 2002  
**OWD-LA**

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OCT 21 2004

PATENT  
Client/Matter No. 450001/63

I hereby certify that on October 17, 2001, which is the date I am signing this certificate, I am depositing this correspondence the United States Postal Service, first class mail, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.



Applicant: Paul J. O'Brien

Serial No.: 09/942,057

Filed: August 28, 2001

Title: DISPLAY RACK AND HOOK

COMBINATION

Examiner: Not yet assigned

Group Art Unit: 3634

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

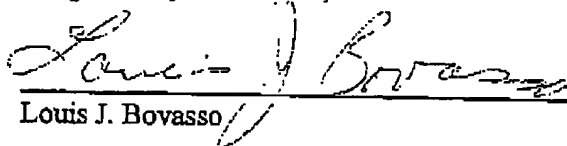
Customer Service Center  
Initial Patent Examination Division  
Asst. Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE  
CORRECTED APPLICATION PAPERS

Sir:

Responsive to the enclosed Notice mailed October 2, 2001, submitted herewith are formal drawings in compliance with 37 CFR 1.84(g).

Respectfully submitted,

  
Louis J. Bovasso

Dated: October 17, 2001

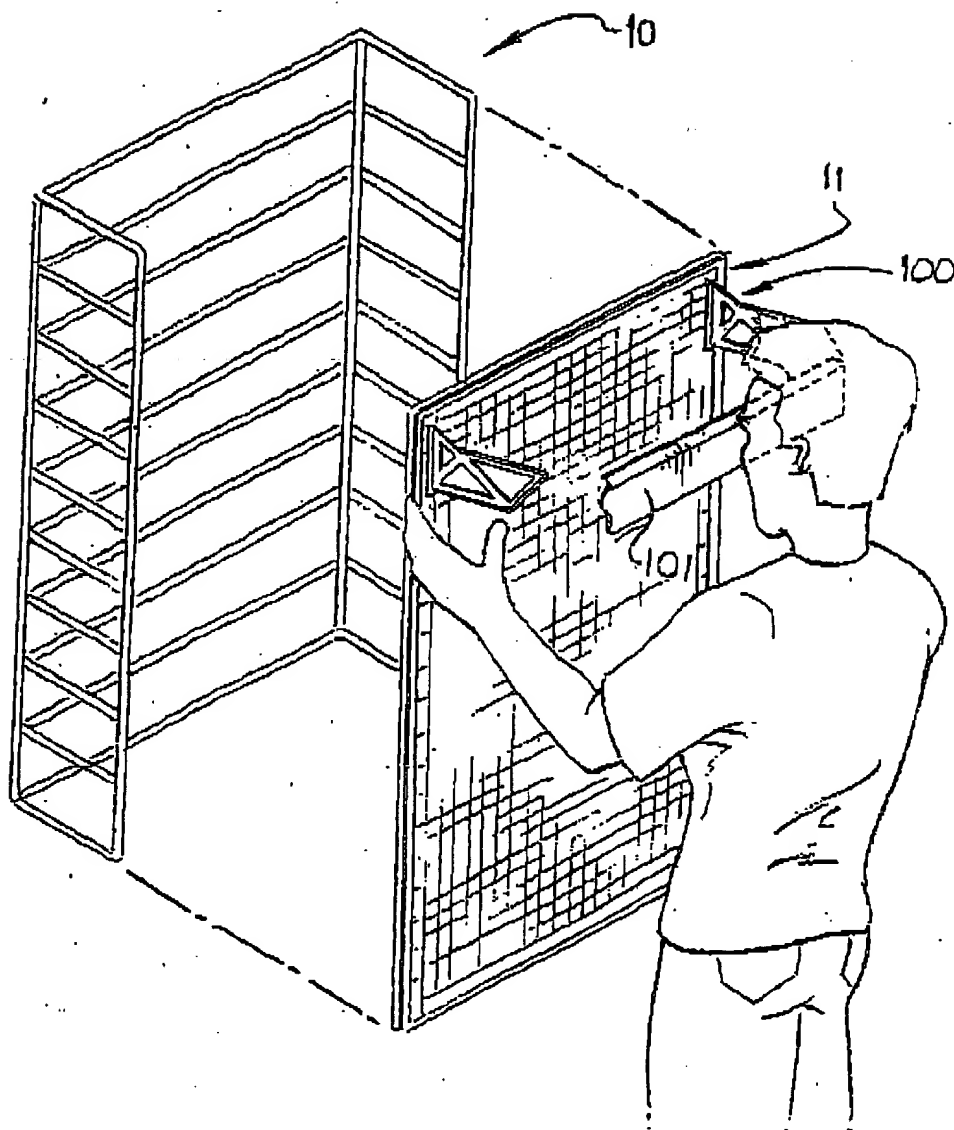
LJB/dp  
Enclosure: Notice  
Drawings

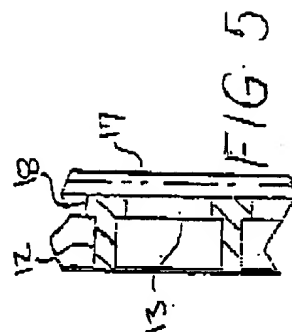
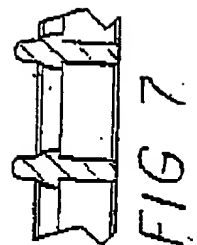
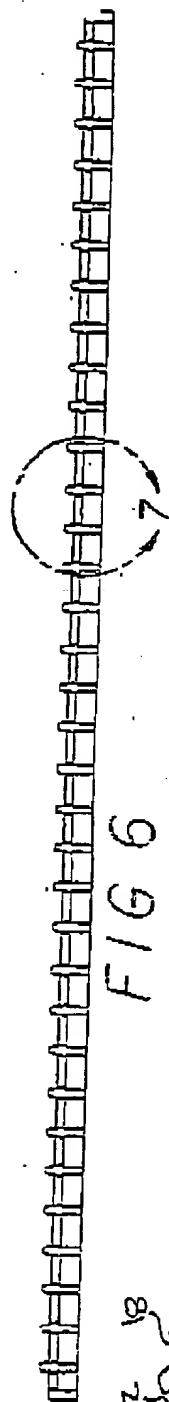
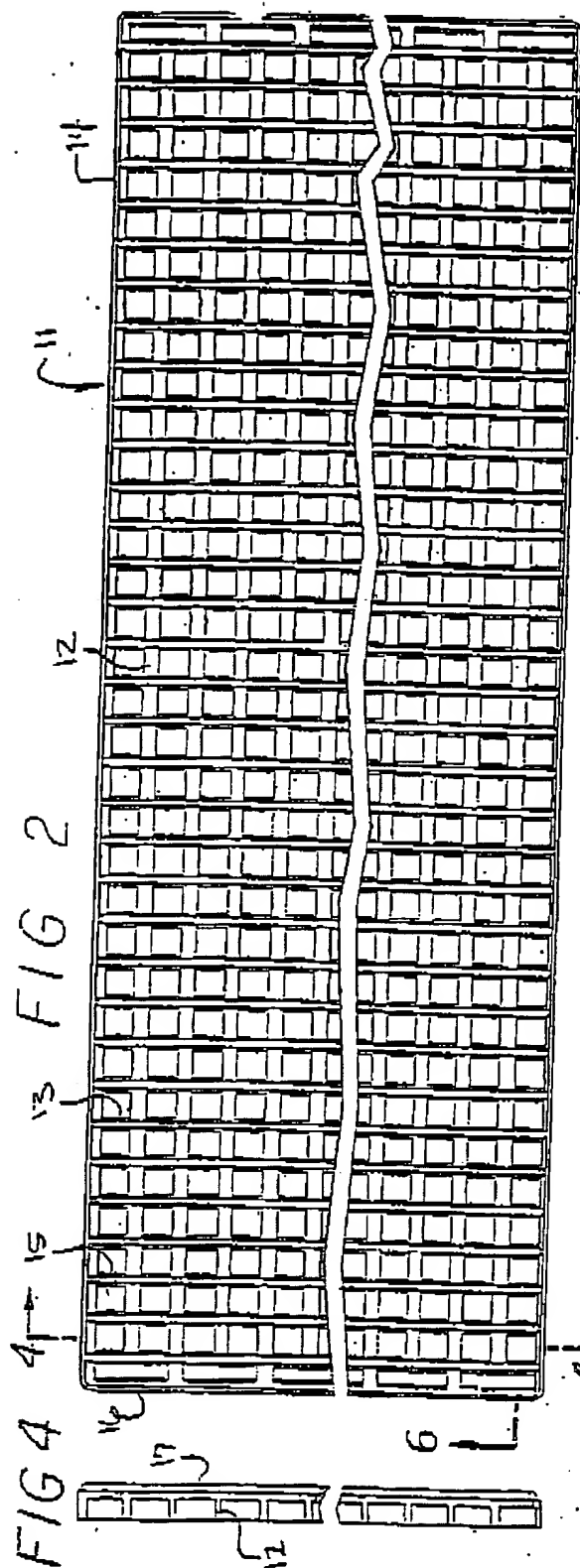
OPPENHEIMER WOLFF & DONNELLY LLP  
2029 Century Park East, 38th FL  
Los Angeles, CA 90067  
Phone: 310/788-5000 Fax: (310) 788-5100

LA: 302842 v01 10/17/2001



FIG. 1





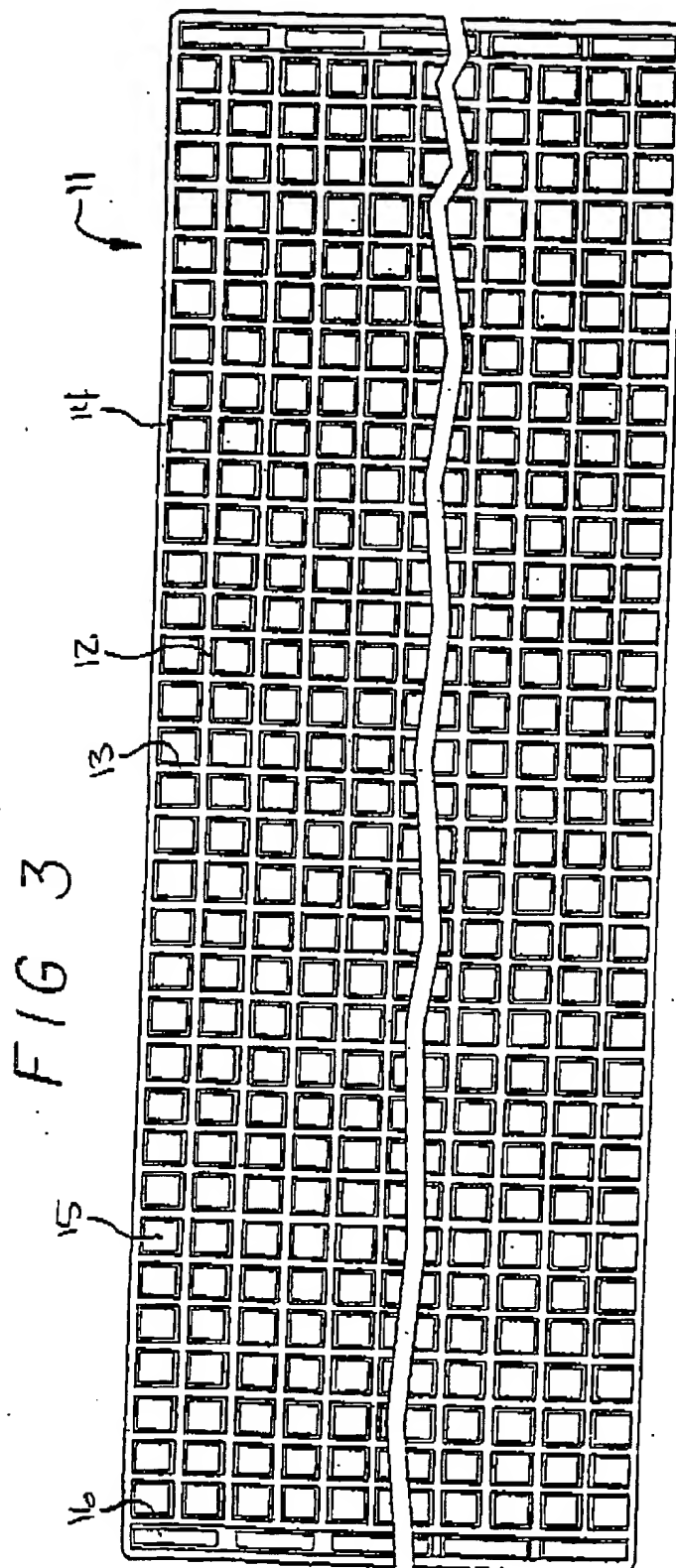




FIG. 15

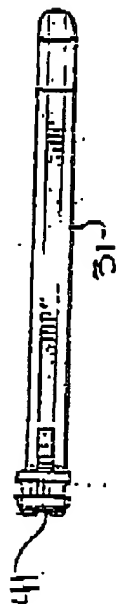


FIG. 13

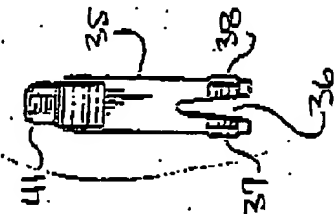


FIG. 10

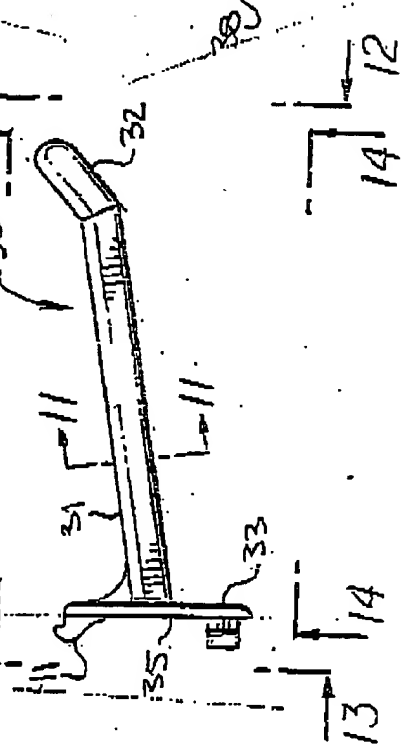


FIG. 12

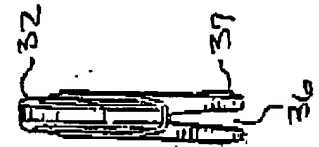


FIG. 11

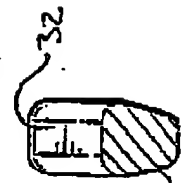
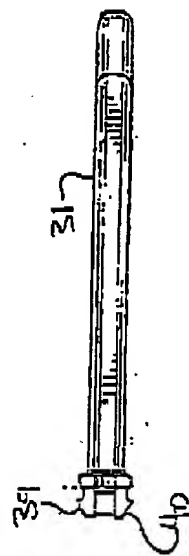
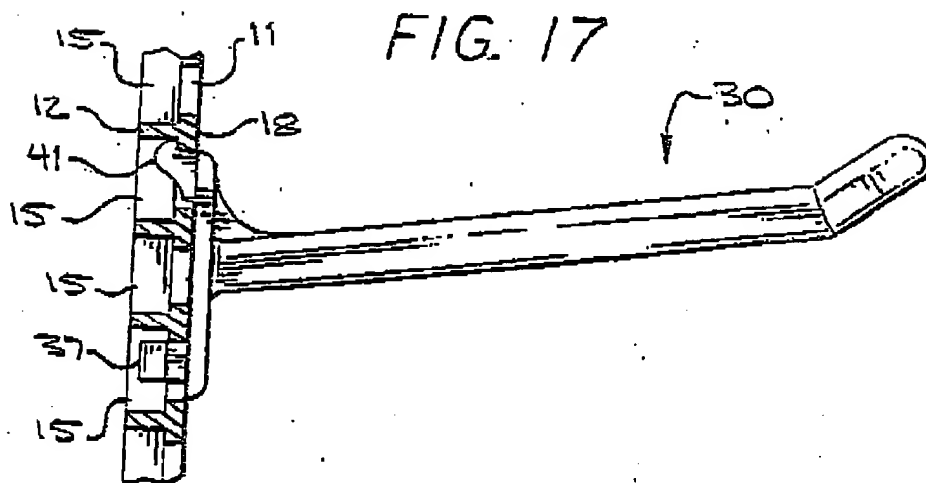
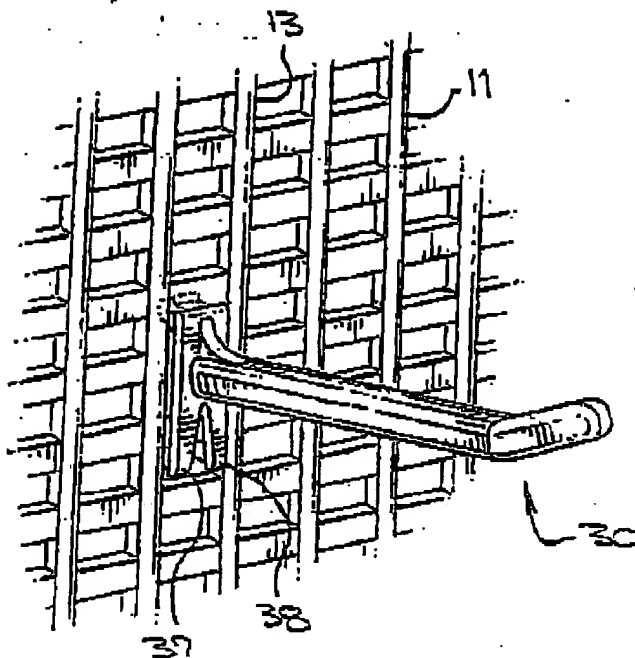
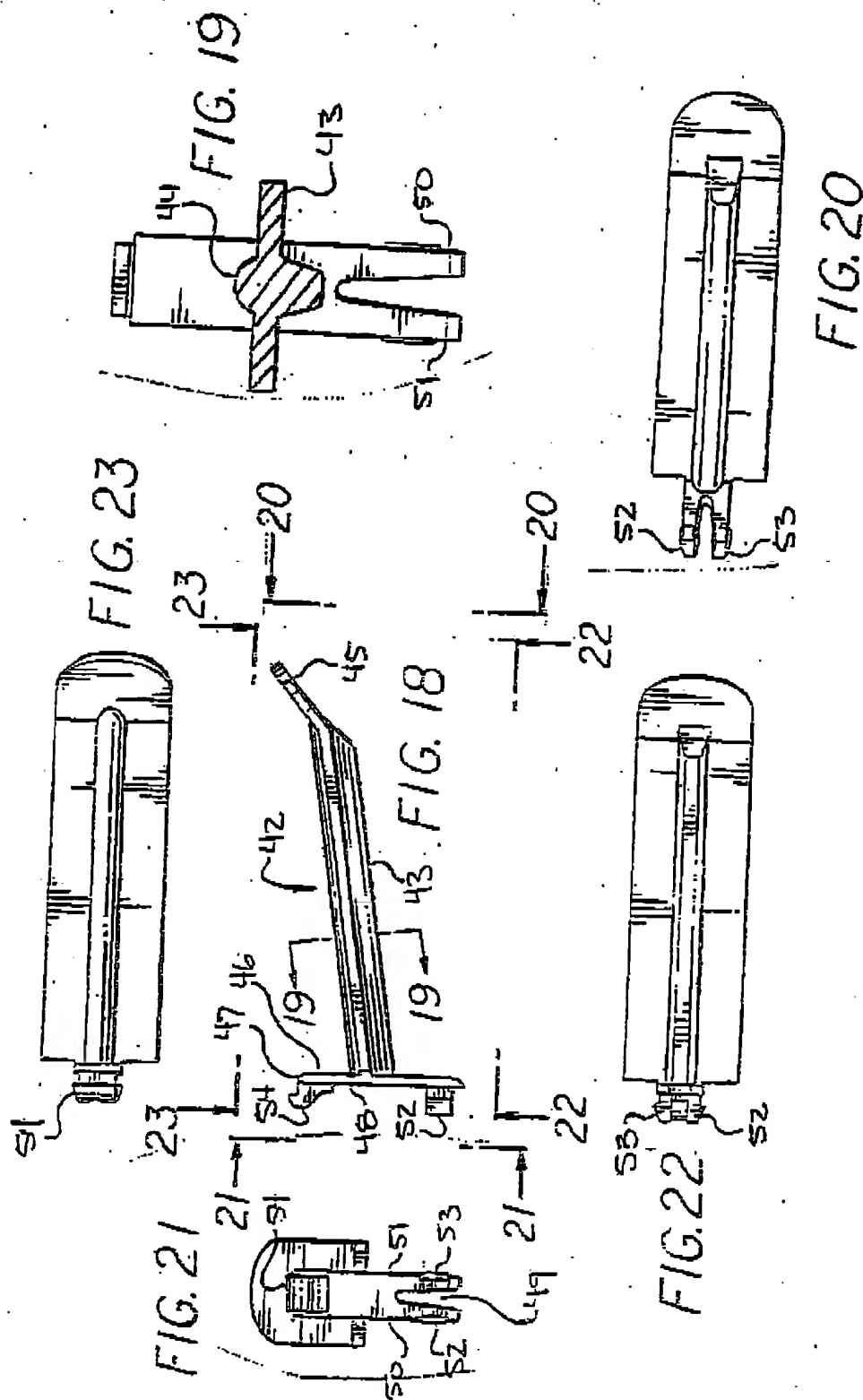


FIG. 14







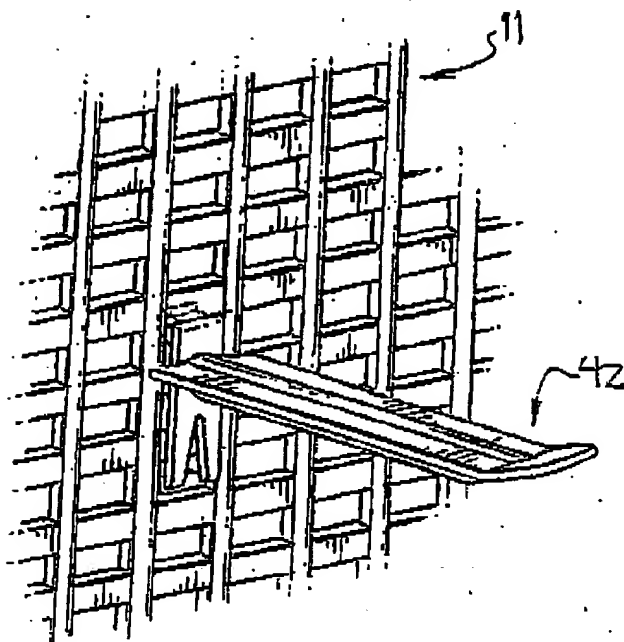


FIG. 24

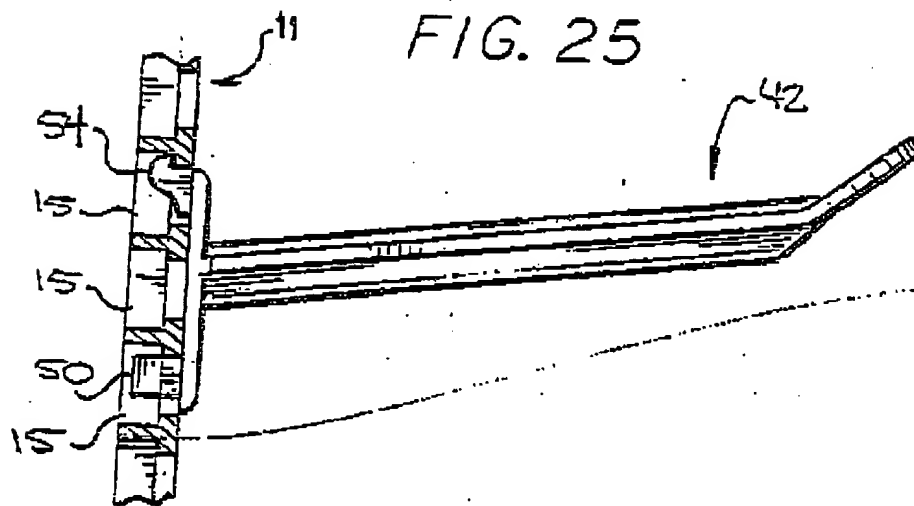


FIG. 25



FIG. 26

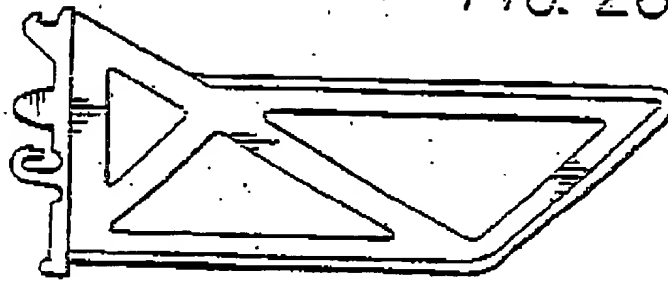
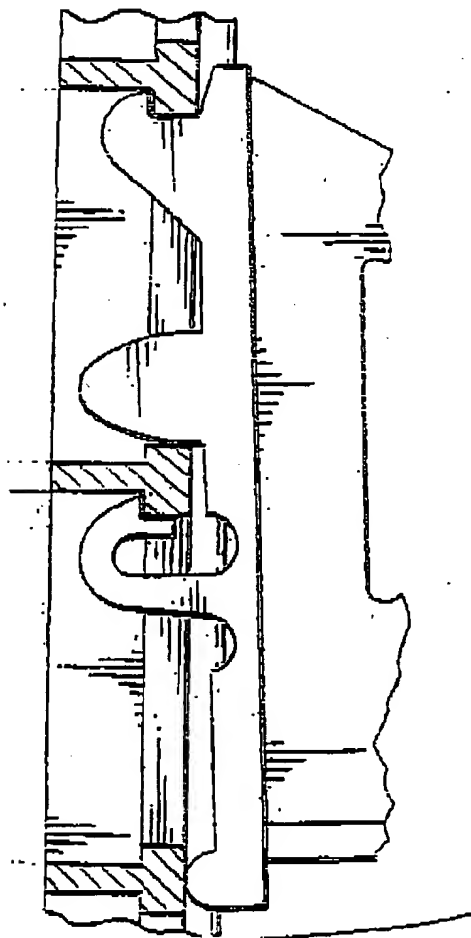


FIG. 27



FIG. 28



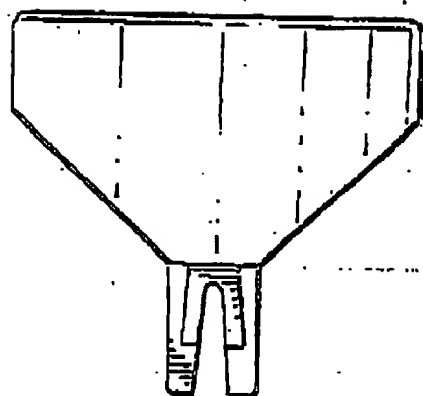


FIG. 29

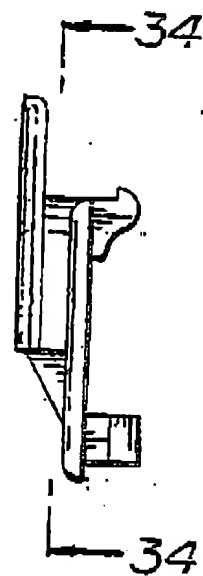


FIG. 30



FIG. 31

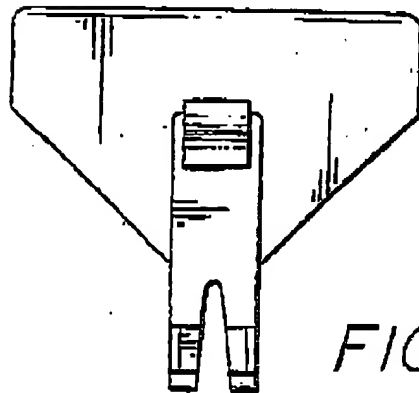


FIG. 32

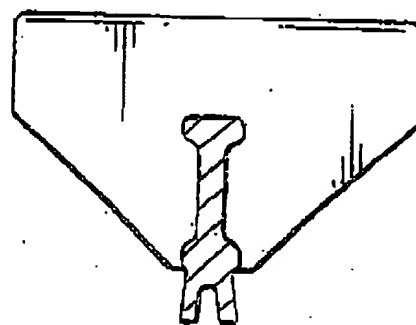


FIG. 34

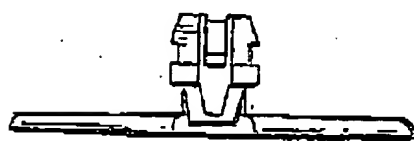


FIG. 33

FIG. 35

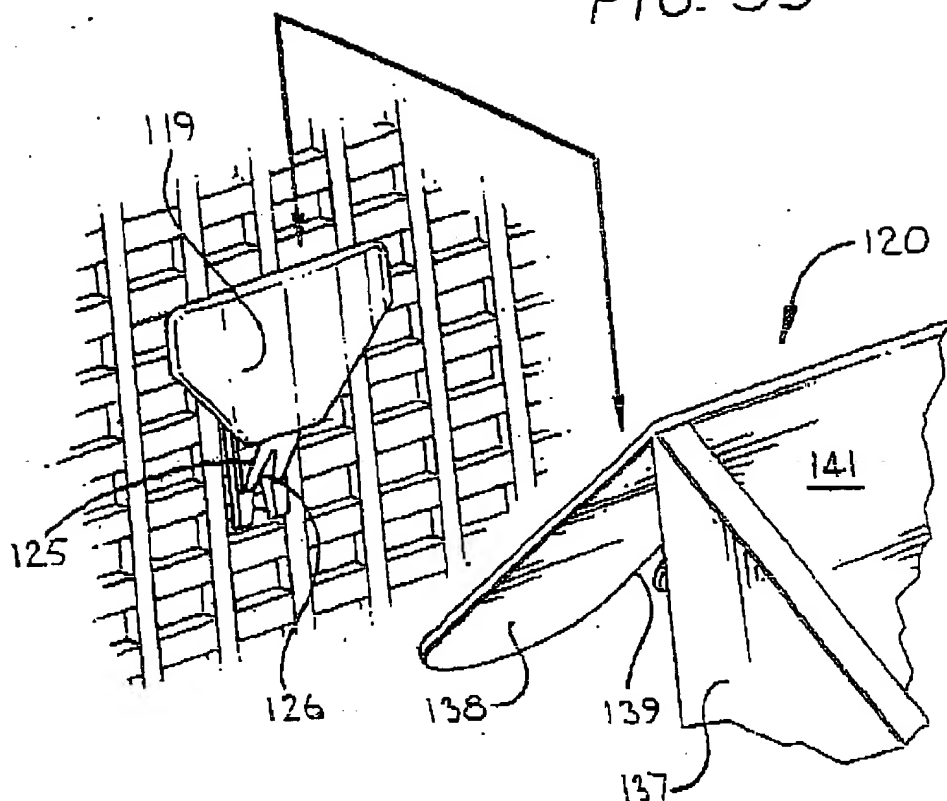
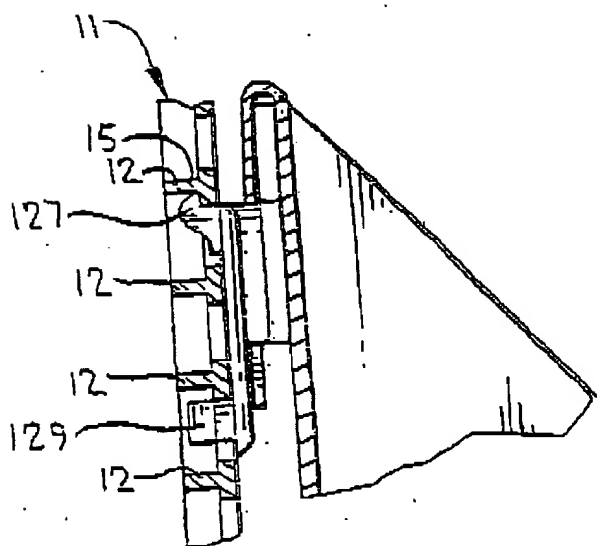
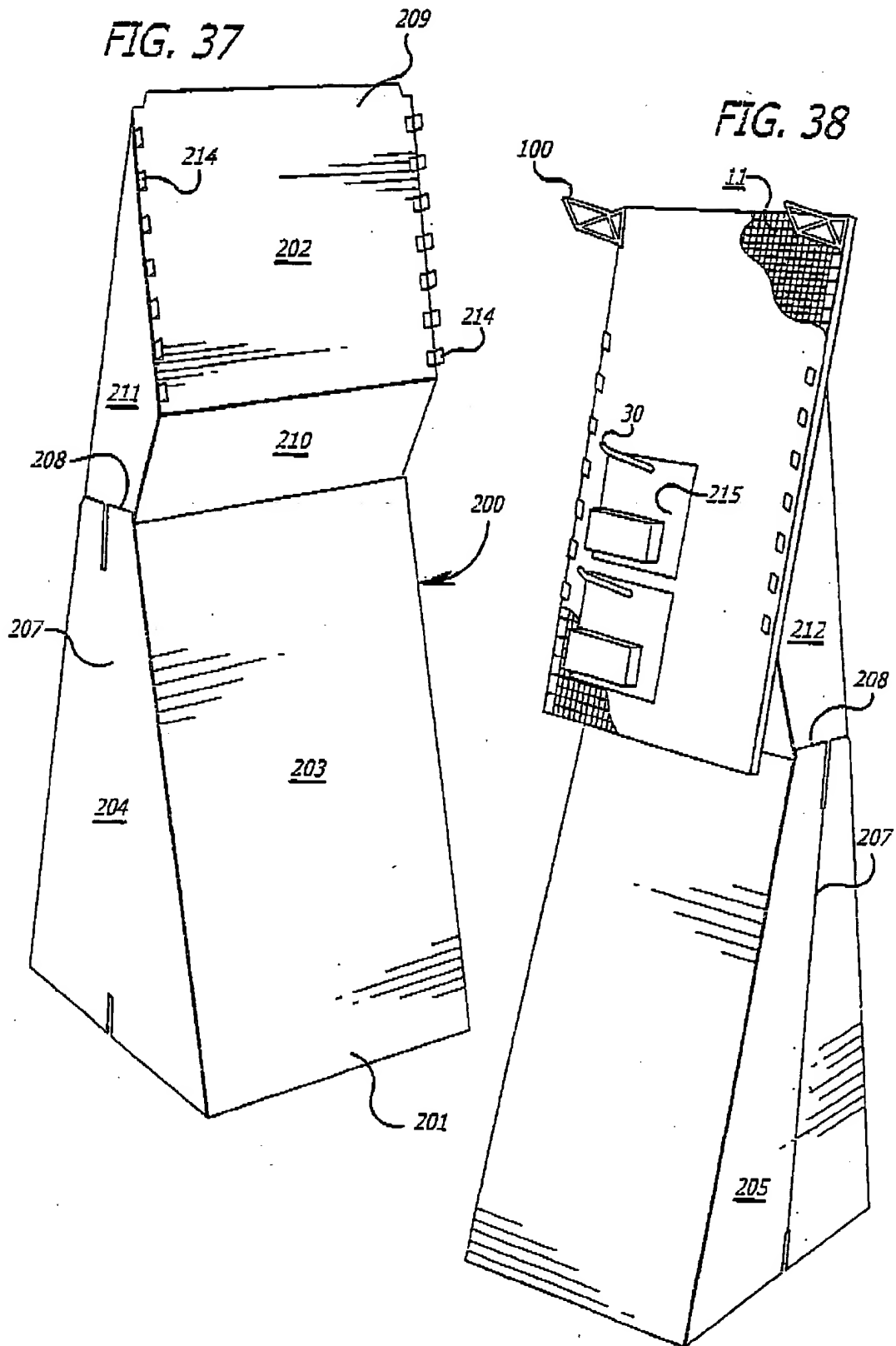


FIG. 36





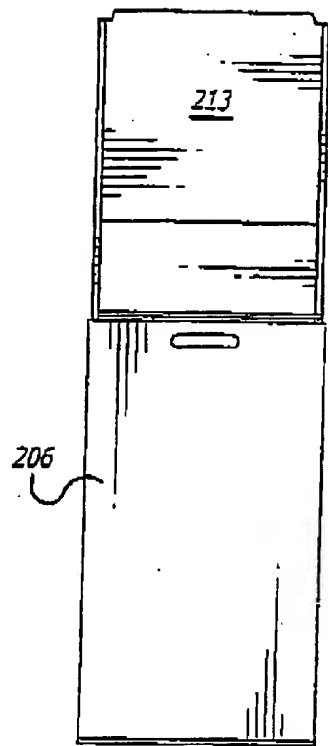


FIG. 39

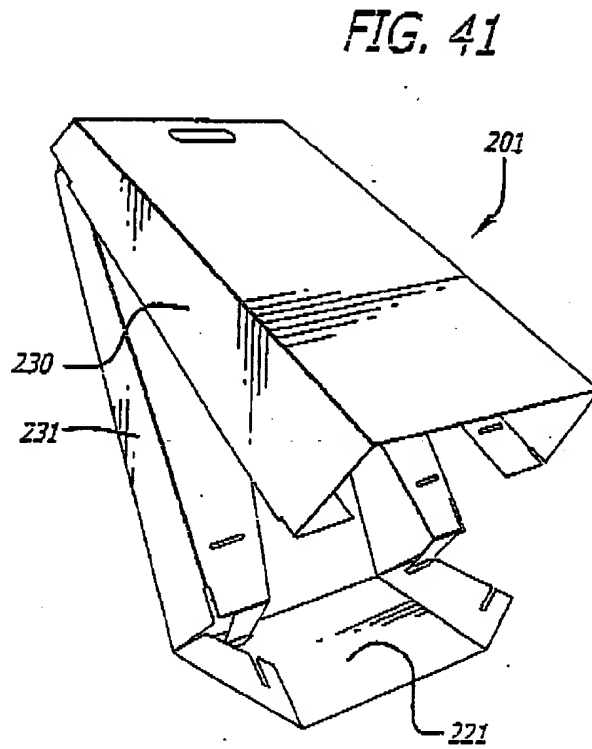


FIG. 41

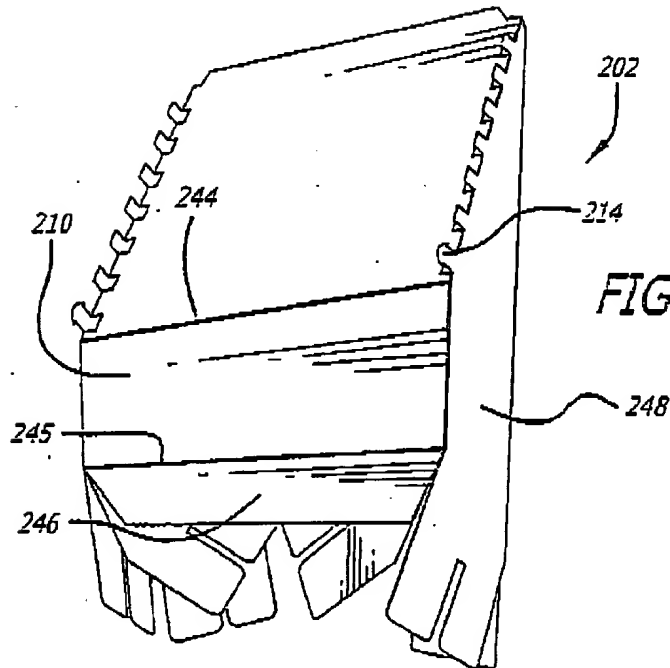
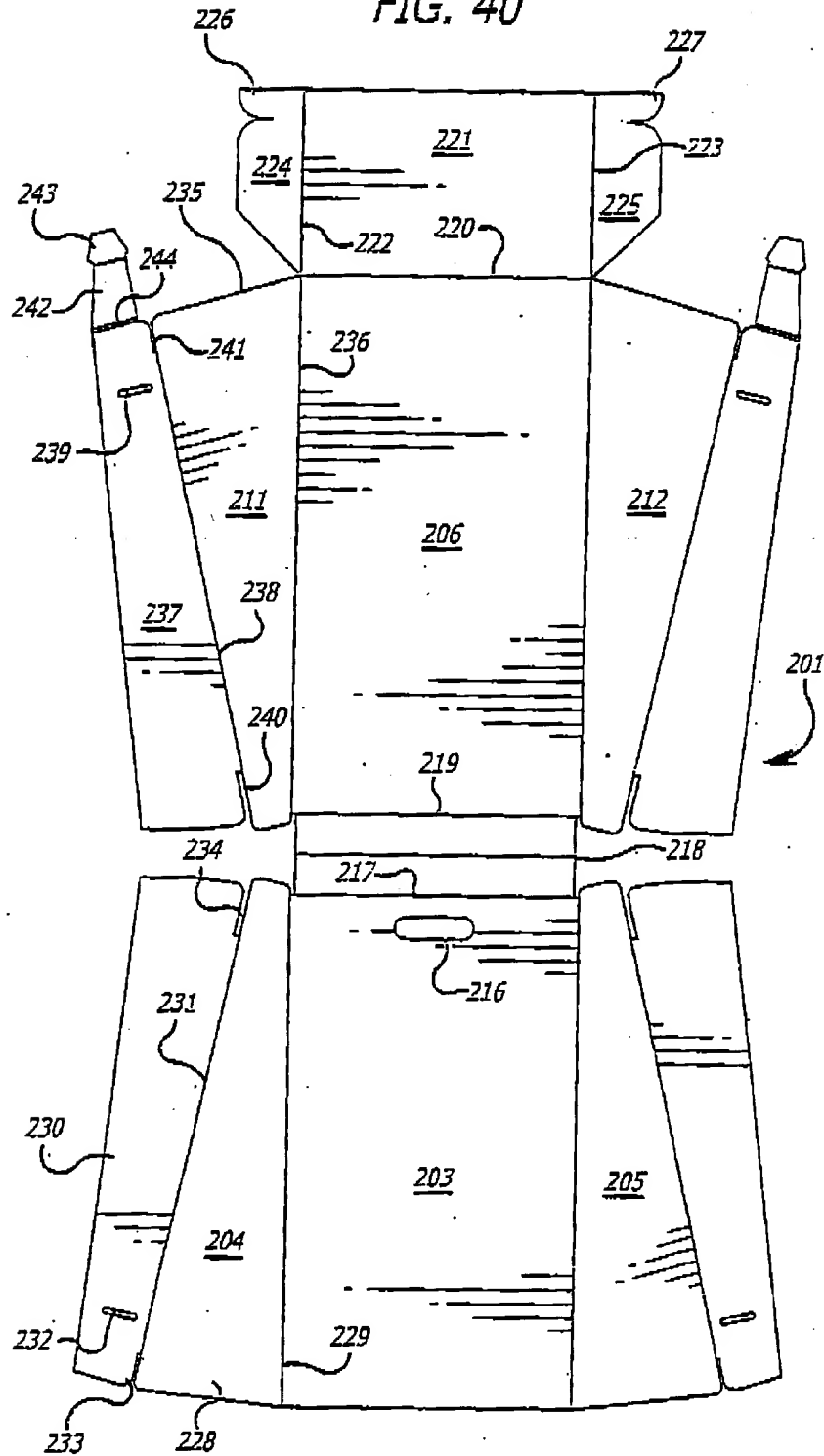
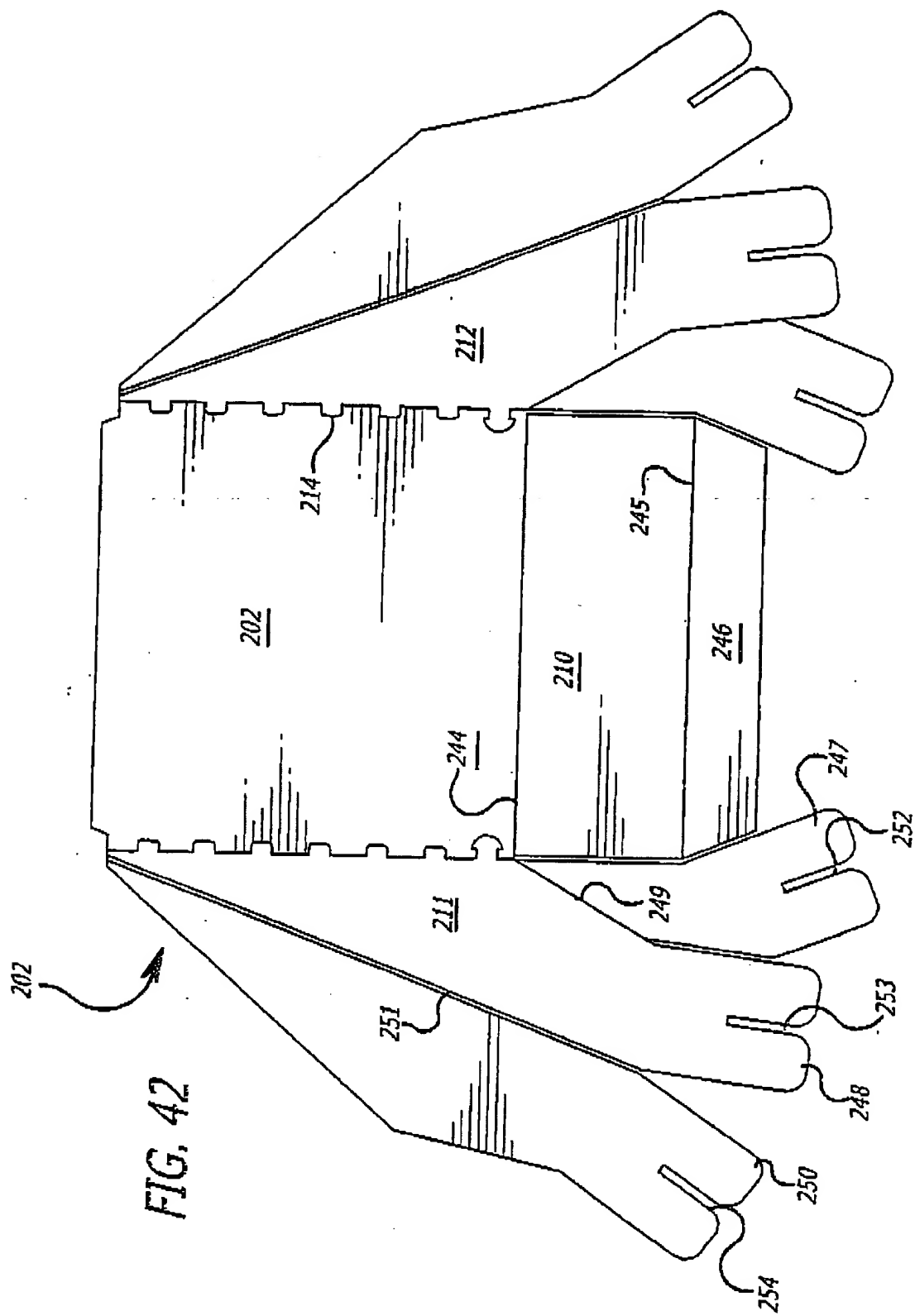


FIG. 43

FIG. 40







## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/942,057	08/28/2001	Paul J. O'Brien	450001-63

CONFIRMATION NO. 6514

## FORMALITIES LETTER



"00000000006834395"

Louis J. Bovasso  
OPPENHEIMER WOLFF & DONNELLY LLP  
38th Floor  
2029 Century Park East  
Los Angeles, CA 90067-3024

Date Mailed: 10/02/2001

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

*Filing Date Granted*

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

A.T.  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY





## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/942,057	08/28/2001	3634	355	450001-63	15	16	2

CONFIRMATION NO. 6514

## FILING RECEIPT



\*OC000000006834384\*

Louis J. Bovasso  
OPPENHEIMER WOLFF & DONNELLY LLP  
38th Floor  
2029 Century Park East  
Los Angeles, CA 90067-3024

Date Mailed: 10/02/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Paul J. O'Brien, Long Beach, CA;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 10/02/2001

Projected Publication Date: To Be Determined - pending completion of Corrected Papers

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Display rack and hook combination

Preliminary Class

211

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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